

10/15/01  
JC867 U.S. PTO

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PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U S Patent and Trademark Office; U S DEPARTMENT OF COMMERCE

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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |   |
|------------------------|---|
| Attorney Docket No.    | 142.US5.REG                               |
| First Inventor         | Stephane BEJANIN, et al.                  |
| Title                  | Human cDNAs and Proteins and Uses Thereof |
| Express Mail Label No. | EL821902838US                             |

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 253]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets ]
5. Oath or Declaration [ Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
- i.  **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

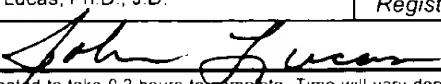
Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information.    Examiner \_\_\_\_\_ Group Art Unit. \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**

### 19. CORRESPONDENCE ADDRESS

|  |                            |           |  |
|--|----------------------------|-----------|--|
| <input type="checkbox"/> Customer Number or Bar Code Label | 000027206                  |           | <input type="checkbox"/> or <input checked="" type="checkbox"/> Correspondence address below |
| Name   | John Lucas, Ph.D., J.D.    |           |  |
|  | GENSET CORPORATION         |           |  |
| Address  | 10665 Sorrento Valley Road |           |  |
| City   | San Diego                  | State     | CA   |
| Country  | U.S.A.                     | Telephone | 858/597-2600   |
| Fax  | 858/597-2601               |           |  |

|                   |   |                                   |               |
|-------------------|---|-----------------------------------|---------------|
| Name (Print/Type) | John Lucas, Ph.D., J.D.   | Registration No. (Attorney/Agent) | 43,373        |
| Signature         |  |                                   | Date 10/15/01 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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J1040 U.S. PTO  
09/978418

10/15/01

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# FEE TRANSMITTAL

## for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 510.00)

## Complete if Known

|                      |                          |
|----------------------|--------------------------|
| Application Number   |                          |
| Filing Date          | October 15, 2001         |
| First Named Inventor | Stephane BEJANIN, et al. |
| Examiner Name        | Unassigned               |
| Group Art Unit       | Unknown                  |
| Attorney Docket No.  | 142.US5.CIP              |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity<br>Fee Code (\$)     | Small Entity<br>Fee Code (\$) | Fee<br>(\$) | Fee Description   | Fee Paid |
|-----------------------------------|-------------------------------|-------------|---|----------|
| 105                               | 130                           | 205         | 65 Surcharge - late filing fee or oath  |          |
| 127                               | 50                            | 227         | 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                               | 130                           | 139         | 130 Non-English specification   |          |
| 147                               | 2,520                         | 147         | 2,520 For filing a request for ex parte reexamination                         |          |
| 112                               | 920*                          | 112         | 920* Requesting publication of SIR prior to Examiner action                   |          |
| 113                               | 1,840*                        | 113         | 1,840* Requesting publication of SIR after Examiner action                    |          |
| 115                               | 110                           | 215         | 55 Extension for reply within first month                                     |          |
| 116                               | 400                           | 216         | 200 Extension for reply within second month                                   |          |
| 117                               | 920                           | 217         | 460 Extension for reply within third month                                    |          |
| 118                               | 1,440                         | 218         | 720 Extension for reply within fourth month                                   |          |
| 128                               | 1,960                         | 228         | 980 Extension for reply within fifth month                                    |          |
| 119                               | 320                           | 219         | 160 Notice of Appeal  |          |
| 120                               | 320                           | 220         | 160 Filing a brief in support of an appeal                                    |          |
| 121                               | 280                           | 221         | 140 Request for oral hearing  |          |
| 138                               | 1,510                         | 138         | 1,510 Petition to institute a public use proceeding                           |          |
| 140                               | 110                           | 240         | 55 Petition to revive - unavoidable   |          |
| 141                               | 1,280                         | 241         | 640 Petition to revive - unintentional  |          |
| 142                               | 1,280                         | 242         | 640 Utility issue fee (or reissue)  |          |
| 143                               | 460                           | 243         | 230 Design issue fee  |          |
| 144                               | 620                           | 244         | 310 Plant issue fee   |          |
| 122                               | 130                           | 122         | 130 Petitions to the Commissioner   |          |
| 123                               | 50                            | 123         | 50 Processing fee under 37 CFR 1.17(q)  |          |
| 126                               | 180                           | 126         | 180 Submission of Information Disclosure Stmt                                 |          |
| 581                               | 40                            | 581         | 40 Recording each patent assignment per property (times number of properties) |          |
| 146                               | 740                           | 246         | 370 Filing a submission after final rejection (37 CFR § 1.129(a))             |          |
| 149                               | 740                           | 249         | 370 For each additional invention to be examined (37 CFR § 1.129(b))          |          |
| 179                               | 740                           | 279         | 370 Request for Continued Examination (RCE)                                   |          |
| 169                               | 900                           | 169         | 900 Request for expedited examination of a design application                 |          |
| Other fee (specify) _____         |                               |             |   |          |
| *Reduced by Basic Filing Fee Paid |                               |             |   |          |
| SUBTOTAL (3) (\$ 0.00)            |                               |             |   |          |

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

Express Mail Label No. EL821902838US

Complete (if applicable)

|                   |                         |                                      |        |           |                |
|-------------------|-------------------------|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | John Lucas, Ph.D., J.D. | Registration No.<br>(Attorney/Agent) | 43,373 | Telephone | (858) 597-2600 |
| Signature         |                         |                                      | Date   | 10/15/01  |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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GENSET

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E N S E T

Direct Dial: (858) 597-2610  
E-Mail: john.lucas@genxy.com

October 15, 2001

**Express Mail Label No. EL821902838US**

Assistant Commissioner for Patents  
Box: Patent Application  
Washington, D.C. 20231

RE: U.S. Utility Patent Application  
For: HUMAN CDNAS AND PROTEINS AND USES THEREOF  
Inventor(s): Jean-Baptiste Dumas Milne Edwards; Hiroaki Tanaka  
Our Ref.: 142.US5.REG

Dear Sir:

Enclosed please find the above-identified utility patent application for filing with the United States Patent and Trademark Office. This application claims priority on U.S. Provisional Application Serial No. 60/311,305, filed August 10, 2001; U.S. Provisional Application Serial No. 60/314,734, filed August 24, 2001; U.S. Provisional Application Serial No. 60/318,204, filed September 7, 2001; and U.S. Provisional Application Serial No. 60/326,470, filed October 1, 2001. Small Entity status is asserted for this application. The following documents are transmitted herewith:

|    |  | <u>Quantity</u> |
|----|--|-----------------|
| 1) | Specification, Tables, Claims and Abstract   | 277 pages       |
| 2) | Application Data Sheet   | 4 pages         |
| 3) | Utility Patent Application Transmittal, Fee Transmittal for FY 2001, Patent Application Fee Determination Record | 3 sheets        |
| 4) | Our check in the amount of \$510.00 for the filing fee - small entity  |                 |
| 5) | Paper copy of Sequence Listing   | 66 pages        |
| 6) | Copies of the Sequence Listing on CD-ROM   | 2 CD-Rs         |
| 7) | Sequence Listing Verification Statement  | 1 page          |
| 8) | Return Receipt Postcard  |                 |

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment in the processing of these documents to our Deposit Account No. 50-1181.

Very truly yours,

GENSET CORPORATION

John Lucas, Ph.D., J.D.  
Reg. No. 43,373

JL/CJ/cmm  
Enclosures

cc: Helene Sarraseca (w/encls.)

**Certificate of Mailing under 37 CFR 1.10**

Express Mail Label No.: EL821902838US Date of Deposit: October 15, 2001  
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the Date of Deposit shown above, postage prepaid and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

\_\_\_\_\_  
Carol Johns  
\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate